

all times in business hours to the premises, books and papers of the Company to inspect same and determine whether the said Company is performing the conditions as imposed upon it as hereinafter set out and contained in said mortgage, and a refusal to permit such inspection shall cause the said mortgage to forthwith become due and owing, and proceedings may be taken to realize upon same in manner indicated. The said Company shall on request of the corporation, which may be given by a requisition signed by the Mayor of the Corporation enclosed in an envelope with postage prefixed and registered addressed to the Company at Bowmanville, and within twenty days after such request be given file with the Town Clerk of the Corporation a statutory declaration made by an officer of the Company resident within the Province of Ontario, who shall therein state his knowledge of the facts proving that the Company has complied with all the terms, conditions, and provisions of this agreement, and those contained in said By-laws, and on the neglect of the said Company to furnish such declaration it shall be taken as conclusive proof that such terms, conditions and provisions have not been performed, observed and kept.

4. All the property of the Company owned and held by it within the limits of the Corporation and used by it in connection with its business (not houses or residences occupied by any of its workmen or officers) shall be partially exempt from municipal taxation (save and except taxation for school rates) for a period from the first day of January, 1911, to the 31st day of December, 1925, to the following extent and amount, that is to say:—

Exemption of all the assessed value thereof over and above the sum of \$50,000.00 shall be entirely exempt from taxation, and the assessment of all said property of the Company shall be fixed, inclusive of the business tax, at \$50,000.00, for said term, upon which it shall pay taxation for school rates only; provided that the said exemption of property for taxation over the said sum of \$50,000.00 is granted subject to the performance and observance by the Company of the terms, conditions and stipulations made and entered into herein.

5. The Company agrees that it will continue and carry on from the first day of January, 1911, to the thirty-first day of December, 1925, (hereinafter called the "period") the manufacturing business now conducted by it and lately conducted by The Durham Rubber Company, Limited, and to as large an extent in volume, and will continuously employ in the branches or departments in the town of Bowmanville during the said period not less than 100 men or operators, exclusive of office help and officers or superintendents of the Company, save and except such periods of cessation or shutting down (not, however, to exceed one month in any calendar year) as are ordinarily incident to the nature of such business, and also save and except for such periods of shutting down as shall be caused by strikes of the Company's workmen in the departments or branches of its said manufacturing business, and strikes which affect the transportation of goods, or obtaining raw material, and will in each year of said period beginning on the day the By-laws to be passed hereunder are approved by an Act of the Legislature of the Province of Ontario pay in wages to its operators and workmen, exclusive of office help and officers or superintendents of the Company in the departments or branches of its said business, not less than \$39,000.

6. And that the Company will at all times during the said period insure and keep insured its said factory and buildings now erected or to be erected on said premises and the plant, machinery and fixtures situate and being thereon to their full insurable value, and if at any time during said period the said buildings, plant, machinery or fixtures shall be wholly or partially destroyed by fire, then and in any such event, and when and so often as the said event shall happen, the Company will at once proceed to rebuild and restore or repair said buildings, plant and machinery and fixtures so as to make the same suitable and available at the earliest reasonable time for the purposes of its said manufacturing business, and it will at

the earliest reasonable time resume its said manufacturing business on said site.

7. It is agreed that in case of a fire which shall render it impossible for the time being for the Company to continue its said manufacturing business in any or all of the departments thereof, then and if the said Company shall forthwith proceed to rebuild and restore the said buildings, plant and machinery and fixtures to their former condition of efficiency for the purpose of resuming and carrying on its said manufacturing business at the earliest practicable time, the Company shall be relieved *pro tanto* of its covenant as to payment of wages for the year of said period in which said fire may occur, and the amount of said wages for said year shall be estimated proportionately for the portion of such year during which the Company's factory could have been operated.

8. It is agreed that notwithstanding the partial exemption from taxation granted by this agreement and the By-laws to be submitted and passed and approved hereunder, the real and personal property of the Company shall during said period be annually assessed in the same manner as if the said By-laws had not been passed, and the taxes rated thereon shall be duly entered in the collector's roll of the said town of Bowmanville, but said taxes (save and except taxation for school rates) shall not be collected on any greater part of the said assessment than \$50,000.00, nor shall taxes be collected for school rates on any greater part of the said assessment than \$50,000.00, unless the Company shall have made default in the terms, provisions and stipulations of this agreement, in which case the whole of the said taxes shall become due and payable and may be collected by the corporation as if the said By-law had not been passed.

9. It is agreed that the auditors of the Corporation or any person or persons appointed by resolution of the Council of the said corporation for that purpose shall at any time during the months of January and February in each year have free access to the pay rolls of the Company for the purpose of ascertaining the amount paid in wages by the Company in all departments and branches of its manufacturing business during the year ending on the then preceding 31st day of December and the period of operation in all departments and branches of the Company's business during said preceding year.

10. It is agreed that if at any time during the said period the number of workmen and operatives employed by the Company in the departments or branches of its business hereinafter carried on in the buildings and premises to be so acquired by it shall fall below 100 in number (such reduction, however, not being at any one time more than 20) such reduction shall not be considered a violation of this agreement, provided that the number of workmen or operatives employed by it during the whole year shall maintain an average of 100 and earn and be paid the yearly wage amounting in all to \$22,000, each workman receiving the usual and ordinary pay for the service rendered.

11. It is agreed that the Corporation will apply to the Legislative Assembly of the Province of Ontario at the next session thereof for an Act to confirm said By-law or By-laws to be passed hereunder and this agreement.

12. It is also agreed between the parties that the said Company shall pay all fees, costs, charges and other expenses, including the legal charges, attendant upon this agreement, the By-laws to be prepared and submitted hereunder, the application for confirmation by the Legislative Assembly. It is also agreed that legal charges shall be limited to those of the counsel and solicitor who presents this agreement to the Council of the Corporation.

13. It is also agreed that the Council of the Corporation shall introduce, pass and give a second reading to the By-law necessary for the carrying out of this agreement and submit the same to the

No. 17.

3rd Session, 12th Legislature,
1 George V., 1911.

BILL.

An Act to Confirm By-law No. 772
of the
Town of Bowmanville.

First Reading, 8th February, 1911.

*(Reprinted as amended by The Private
Bills Committee.)*

Mr. DEVITT.

TORONTO:

PRINTED BY L. K. CAMERON,
Printer to the King's Most Excellent Majesty

BILL

An Act to Incorporate Toronto Interurban Railway.

W HEREAS, Charles Carlton Cummings, Capitalist; Preamble.
Francis Dudley Mackay, Manufacturer; Michael Herman Ludwig, King's Counsel; Adam Walker Ballantyne, Barrister, and Charles Forsyth Ritchie, Barrister, all of the City of Toronto, in the County of York, in the Province of Ontario, have petitioned for an Act to incorporate a Company for the purpose of constructing and maintaining a railway to be operated by steam or electricity or partly by one and partly by the other, from some point in or near the northerly limit of the City of Toronto, in the County of York, thence northerly through the Townships of York, Vaughan, King and Whitechurch, in said County of York, to a point in or near the Town of Newmarket, in said County of York; and whereas it is expedient to grant the prayer of the said Petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. The said Charles Carlton Cummings, Francis Dudley Maekay, Michael Herman Ludwig, Adam Walker Ballantyne and Charles Forsyth Ritchie, together with such other persons, firms and corporations as shall hereafter become shareholders of the said Company, are hereby constituted a body corporate and politic, by the name of "Toronto Interurban Railway," hereinafter called "the Company." ^{Incorporation.}

2. The Company is authorized and empowered to survey, ^{Location of line.} lay out, construct, complete, equip, maintain and operate a railway to be operated by steam or electricity, or partly by one and partly by the other, from some point in or near the northerly limit of the City of Toronto, in the County of York, in the Province of Ontario, thence northerly through the Townships of York, Vaughan, King and Whitechurch to a point in or near the Town of Newmarket, in said County of York.

- Head Office **3.** The Head Office of the Company shall be in the City of Toronto, in the said County of York.
- Provisional Directors. **4.** The said Charles Carlton Cummings, Francis Dudley Mackay, Michael Herman Ludwig, Adam Walker Ballantyne and Charles Forsyth Ritchie shall be the Provisional Directors of the Company.
- Number of Directors **5.** The Board of Directors of the Company shall consist of not less than three and not more than seven persons.
- Capital Stock. **6.** The Capital Stock of the Company shall be two hundred and fifty thousand dollars.
- Bonds, Debentures. **7.** The Company may issue bonds, debentures or other securities to the extent of thirty thousand dollars per mile of railway constructed, or under contract to be constructed.
- Running arrangements with other railways. **8.** Subject to the provisions of *The Ontario Railway Act, 1906*, the Company shall have power to make traffic or running arrangements with the Canadian Pacific Railway Company, the Grand Trunk Railway Company, the Canadian Northern Railway Company, the Metropolitan Railway Company, and any other Railway or Transportation Company, upon such terms as may be agreed upon.
- Application of 6 Edw. VII, c. 30. **9.** The provisions of *The Ontario Railway Act, 1906*, shall apply to the Company, and to the railway constructed or to be constructed by it.



Digitized by the Internet Archive
in 2010

No. 18

3rd Session, 12th Legislature,
1 George V., 1911.

BILL.
An Act to Incorporate Toronto Inter-
urban Railway.

(*Private Bill.*)

Mr. LENNOX.

TORONTO:
PRINTED BY L. K. CAMERON,
Printer to the King's Most Excellent Majesty

BILL


An Act to Incorporate Toronto Interurban Railway.

W HEREAS, Charles Carlton Cummings, Capitalist; Preamble.
Francis Dudley Mackay, Manufacturer; Michael
Herman Ludwig, King's Counsel; Adam Walker Ballantyne,
Barrister, and Charles Forsyth Ritchie, Barrister, all of the
City of Toronto, in the County of York, in the Province of
Ontario, have petitioned for an Act to incorporate a Company
for the purpose of constructing and maintaining a railway
to be operated by steam or electricity or partly by one and
partly by the other, from some point in or near the northerly
limit of the City of Toronto, in the County of York, thence
northerly through the Townships of York, Vaughan, King
and Whitechurch, in said County of York, to a point in or
near the Town of Newmarket, in said County of York; and
whereas it is expedient to grant the prayer of the said Peti-
tion;

Therefore, His Majesty, by and with the advice and con-
sent of the Legislative Assembly of the Province of Ontario,
enacts as follows:

1. The said Charles Carlton Cummings, Francis Dudley Incorporation.
Mackay, Michael Herman Ludwig, Adam Walker Ballantyne
and Charles Forsyth Ritchie, together with such other per-
sons, firms and corporations as shall hereafter become share-
holders of the said Company, are hereby constituted a body
corporate and politic, by the name of "Toronto Interurban
Railway," hereinafter called "the Company."

2. The Company is authorized and empowered to survey, Location of line.
lay out, construct, complete, equip and maintain a rail-
way to be operated by steam or electricity, or partly by
one and partly by the other, from some point in or near the
northerly limit of the City of Toronto, in the County of
York, in the Province of Ontario, thence northerly through
the Townships of York, Vaughan, King and Whitechurch
to a point in or near the Town of Newmarket, in said
County of York, ~~but~~ but the Company shall not construct

its railway, or any extension thereof, along, under, above or across any highway or public place within the limits of the City of Toronto, without first obtaining the consent, expressed by By-law, of the City of Toronto, and upon the terms to be agreed upon with the said City. 

Head Office. **3.** The Head Office of the Company shall be in the City of Toronto, in the said County of York.

Provisional Directors. **4.** The said Charles Carlton Cummings, Francis Dudley Mackay, Michael Herman Ludwig, Adam Walker Ballantyne and Charles Forsyth Ritchie shall be the Provisional Directors of the Company.

Number of Directors. **5.** The Board of Directors of the Company shall consist of not less than three and not more than seven persons.

Capital Stock. **6.** The Capital Stock of the Company shall be two hundred and fifty thousand dollars.

Bonds, Debentures. **7.** The Company may issue bonds, debentures or other securities to the extent of thirty thousand dollars per mile of railway constructed, or under contract to be constructed.

Running arrangements with other railways. **8.** Subject to the provisions of *The Ontario Railway Act, 1906*, the Company shall have power to make traffic or running arrangements with the Canadian Pacific Railway Company, The Grand Trunk Railway Company of *Canada*, the Canadian Northern Railway Company, the Metropolitan Railway Company, and any other Railway or Transportation Company, upon such terms as may be agreed upon.

Application of 6 Edw. VII., c. 30. **9.** The provisions of *The Ontario Railway Act, 1906*, shall apply to the Company, and to the railway constructed or to be constructed by it.

No. 18

3rd Session, 12th Legislature,
1 George V., 1911.

BILL.

An Act to Incorporate Toronto Inter-
urban Railway.

1st Reading 8th day of February, 1911.

*(Reprinted as amended by The Railway
Committee.)*

Mr. LENNOX.

TORONTO:
PRINTED BY L. K. CAMERON,
Printer to the King's Most Excellent Majesty.

BILL

An Act to Incorporate St. Andrew's College.

WHEREAS The Saint Andrew's College Company, Preamble.
Limited, has, by petition, represented that it was incorporated by Letters Patent under the Great Seal of Ontario, dated 28th June, A.D. 1899, to establish and carry on a College or Seminary of Learning for the education of youth; and whereas a school was established in the City of Toronto by the said Company under the name of "St. Andrew's College," which has been in operation for upwards of ten years; and whereas the whole of the issued capital stock of said Company has been transferred by the owners thereof to Trustees, to be transferred to the corporation hereby created as a gift to form part of an endowment therefor, it being the desire of said shareholders that said Company should be wound up and its property and assets transferred to the corporation hereby created; and whereas the said Company has by its Petition prayed that an Act may be passed for such purposes, and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1.—(1) The persons hereinafter named and their successors in office are hereby constituted a corporation under the name of "St. Andrew's College" (hereinafter referred to as "the new corporation"), for the purposes and with the powers herein mentioned. Incorporation.

(2) The said persons shall be trustees and shall constitute the Board of Governors, hereinafter called "the Board," and the following persons shall be the first Board, viz:

John K. Macdonald, Esq., Sir William Mortimer Clark, J. W. Flavell, Esq., Z. A. Lash, K.C., LL.D., Hon. Frank Cochrane, Lieutenant-Colonel Albert E. Gooderham, B. D. Hanna, Esq., Alex. Laird, Esq., Rev. T. B. Kilpatrick, D.D.,